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FOR MAIL STOP MISSING PARTS**

Self addressed return postcard.

USPTO letter, NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION, 2 pages.

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Original PATENT APPLICATION INVENTORY page.

New DECLARATION FOR UTILITY PATENT APPLICATION, 2 pages.

PETITION FEE TRANSMITTAL.

CREDIT CARD PAYMENT FORM, PTO-2038.

CLAIM page, page 31.

Six pages of DRAWINGS, Figures 1 through 10.

One copy of Vellum enlargement of Fig. 6a.



MAIL STOP MISSING PARTS
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA VA 22313-1450

Edward Linsley
Application No. 10/673866
334 567-9869

**RESPONSE TO NOTICE OF NONPROVISIONAL APPLICATION, DATED 10/28/2005,
CONFIRMATION NO. 4632. FOR APPLICATION NUMBER 10/673866**

"The Specification Does Not Include at Least One Claim"

Seven claims were included on page 31 in the specification. A replacement page is enclosed. I had paid for one independent claim followed with six dependent claims but I apparently made an error in the format. One week after the Patent was filed, on Oct. 6, 2003, I received a phone call from Ms. B. Streater (703 306-5430), concerning my claims. She stated that all seven claims are independent and that I would owe additional funds unless they were revised. I agreed to pay the extra charge for four excess independent claims at \$42.00 each to bring it into compliance, a sum of \$168.00. This would be charged against my credit card file. At the same time, she informed me of my Application Serial Number.

On the second page of your notice of 10/28/2005, reference is made to the \$168.00 which is for the claims correction as mentioned above. This implies that the fee made it to my credit card account but the claims page did not find its way back to my Patent Application. Another mystery at this same time is that I never received my self-addressed, return postcard from the initial Patent Application. The message side of the postcard is shown at the bottom of the enclosed page of a copy of the Patent Application Inventory, which was also enclosed with the patent.

"The oath or declaration is missing."

Since the Declaration is one of the required forms, I definitely included it in the original Patent Application dated 09/29/2003. It is listed on the Patent Application inventory, on the Utility Patent Application Transmittal and on the postcard which I have never received. There would have been no need to send in an Application or a fee of \$375.00, without the Declaration being included.

As required, a second, signed, Declaration is enclosed along with the Application number and original Application Filing Date included.

"Figure(s) 6, 9, 10 described in the specification appear to have been omitted from the application:"

Fig. 6 (6a, 6b, 6c) represents the preferred, Flared Seat, design of the Twister Wings Sailboat

and follows a perspective view of the design shown in Fig. 5. Furthermore, my Specification includes a specific heading of 'Flared Seats' on page 20. This preferred design contains the best attributes for allowing sailors to move out on the windward wing when controlling both steering and sail position while not being in fear of bouncing off the boat. The volume of the seats also provides buoyancy needed when the boat rolls. In other words, Figs. 5 and 6 are the essence of the perfect boat, and my Patent Application would have been lacking strength without them. Actually, all six pages were included with the Application, after many hours of large size drawings on Vellum paper followed with reductions on laser printers. After all my effort, I would be remiss not to include them.

Figs. 9 and 10 are both on the sixth page of the drawings. The Drawings for Specification includes 13 figures on 6 pages. The last two pages were for loads analysis and for wing folding mechanisms. All the figures were necessary for a comprehensive analysis of the concept. A copy of all the figures in the Patent Application is enclosed herein along with one full size figure from the original vellum of Fig. 6a. The enclosed set may be used to augment any of the thirteen figures, if required, followed with disposal of the others.

Option 1

As for the options in your notice, I do contend that the Claims, page 31, and the other omitted items were, in fact, in the original Patent Application in separate envelopes titled 'Specification', 'Patent Application Inventory' and 'Drawings for Specification.' Whatever happens, please do not do anything to change the original filing date of the patent. I contacted some local sailors to assist in testing the prototype in October, 2003, shortly after filing. However, the weather turned cold and school or work interfered on their part. Therefore, I have done all of the testing myself and have videos of seven sailings. One more test when the wind is right for sailing and for the photographer, and I will combine these on a DVD and begin marketing the concept. It would be bizarre to begin marketing before having a filing date for a patent.

I do claim that all items were in fact deposited with the U.S. Patent and Trademark Office on the Filing Date of 09/29/2003, but as option 1 requires, I authorize a \$400.00 petition fee to be charged to my Credit Card account on file with the Patent Office. Petition Fee, Form 37 CFR 1.17(f) and Credit Card Payment Form, PTO-2038, are enclosed for this purpose although I do request a refund of the petition fee if your office rules in my favor.

Edward Linley
11/18/2005



Patent Application Inventory

Folder -- Specification - 32 pages
Writing Format of Specification
Index of Specification Subjects

Folder -- Drawings for Specification
13 Figures on 6 Pages

Folder -- Prior Art, Patent Search

Folder -- Prior Manufactured Art

Folder -- Prototype Development

Folder -- USPTO Forms

Return Receipt Postcard

Utility Application Transmittal

Fee Transmittal - 2 copies of 2 pages

Declaration for Patent Application - 2 pages

Information Disclosure Statement - Prior Art Folders, above
Petition to Make Special

Disclosure Document Reference Letter - 3 pages

Valid Until Oct. 30, 2003

Patent Application of Edward Linsley for Twister Wings Sailboat consisting of 32 page Specification including Claims Abstract Index and Writing Format, 13 Drawing Figures on 6 sheets, Prior Art Patent Search, Prior Manufactured Art, Prototype Development, Utility Patent Application Transmittal, 2 copies of 2 pages of Fee Transmittal, 2 page Declaration of Patent Application signed Sept 29, 2003, Information Disclosure Statement, Petition to Make Special, and Disclosure Document Reference Letter **which shows that the Disclosure is valid until Oct 30, 2003.**

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